

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-64260-2/DJB/RMS

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NUMBER EM554258349USDATE OF DEPOSIT November 3, 1997

I HEREBY CERTIFY THAT THIS PAPER OR FEE, INCLUDING LISTED ENCLOSURES, IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: THE ASSISTANT COMMISSIONER FOR PATENTS, **BOX PATENT APPLICATION**, WASHINGTON, DC 20231.

Anticipated Classification of

This Application:

Class: 435

Subclass:

For Application:

Examiner: VANDERVEGT, F.Art Unit: 1816TYPED NAME KEVIN CAMPBELLSIGNED Kevin Campbell

Assistant Commissioner for Patents

**BOX PATENT APPLICATION**

Washington, DC 20231 Sir:

This is a request for filing a

ContinuationXX Divisional

application under 37 C.F.R. 1.60 of pending application Serial No. 08/789,333 filed on 23 January 1997 in the name of

Garry P. Nolan, Menlo Park, CA

(Names &amp; Addresses of ALL Applicants)

for Methods for Screening for Transdominant Intra-Cellular Effector Peptides and RNA Molecules  
(Title of Invention)


- XX Enclosed is a copy of the prior application, including the oath or declaration, as originally filed.  
(See 8(a) and (b) for drawing requirements.)
- (a)        Enclosed is a Small Entity Declaration.  
(b) XX A Small Entity Declaration is of record in the prior application.
- XX The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY		OTHER THAN SMALL ENTITY	
			RATE	FEE	RATE	FEE
<b>BASIC FEE</b>				<b>\$395</b>		<b>\$790</b>
TOTAL CLAIMS	<u>7</u> - 20 =	0	x 11 =	\$ 0	x 22 =	\$
INDEP CLAIMS	<u>2</u> - 3 =	0	x 41 =	\$ 0	x 82 =	\$
[ ] MULTIPLE DEPENDENT CLAIM PRESENTED			+135 =	\$ 0	+270 =	\$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	<b>\$395</b>	TOTAL	<b>\$</b>

- The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-\*/\*). A duplicate copy of this sheet is enclosed.

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5. XX NO Check for filing  is enclosed.
6. XX Cancel in this application original claims 1-15 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. XX Amend the specification by inserting before the first line the sentence:  
1-This is a division of application Serial No. 08/789,333 filed 23 January 1997.
8. (a)      Informal drawings are enclosed.
- (b) XX Formal drawings are enclosed [**4 SHEETS**].
9. (a)      Priority of application Serial No.          filed on          in          is claimed under 35 U.S.C. 119.
- (b)      The certified copy has been filed in prior application Serial No.          filed on         .
10. XX The prior application is assigned of record to Rigel Pharmaceuticals, Inc.
11. XX The power of attorney from the inventor in the prior application is to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT, LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187  
Telephone: (415) 781-1989

- (a) XX The power from the inventor appears in the original papers in the prior application.
- (b)      Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) XX A new power from assignee will be executed and forwarded.
- (d) XX Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT, LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187  
Telephone: (415) 781-1989

12.      A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
13. XX I hereby verify that the attached papers are a true copy of prior application Serial No. 08/789,333 as originally filed on 23 January 1997.

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Date: November 3, 1997

Robin M. Silva  
Robin M. Silva  
Reg. No. 38,304

XX Attorney or agent of record  
Filed under Section 1.34(a)

Address of Signer:

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

(Not required if signed above by attorney.)

\_\_\_\_ Inventor(s)  
\_\_\_\_ Assignee of complete interest

Address of Signer:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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